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February 12, 2025

VIA ECF

Honorable J. Brendan Day, U.S.M.J.
United States District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: Luciano v. TIAA, et al., No.: 3:15-cv-06726-RAK (D.N.J.)

Dear Judge Day:

Pursuant to Your Honor's order directing Plaintiff and TIAA to meet and confer regarding the collection and review of C&B Data (ECF No. 225) and submit a joint status letter by February 13, 2025 (ECF No. 237), Plaintiff and TIAA jointly write to advise the Court as to the current status of the parties' discussions.

On February 3, 2025, Plaintiff wrote to TIAA to: (1) identify certain issues relating to the C&B Data that TIAA produced for Plan Numbers 150457 and 150813; and (2) identify a proposed set of additional plans for which Plaintiff requested C&B Data. On February 11, 2025, TIAA responded, providing certain information addressing the issues Plaintiff raised relating to the C&B Data for Plan Numbers 150457 and 150813 (and promising to follow up regarding the remaining issues), objecting to the production of C&B Data for additional plans, and proposing that the parties meet and confer regarding TIAA's objection to such additional productions. Plaintiff agrees that pursuant to Local Civil Rule 37.1 and Your Honor's Judicial Preferences, the parties should continue to meet and confer regarding this dispute prior to seeking judicial intervention.

As such, TIAA and Plaintiff respectfully request that Your Honor order the parties to continue to meet and confer and provide the Court with a joint status update

or joint dispute letter (depending on whether this dispute is resolved) no later than March 4, 2025. If this is acceptable to Your Honor, the parties request that the Court “So Order” this correspondence and enter it on the docket.

Respectfully submitted,

/s/ Matthew F. Gately

Matthew F. Gately

cc: All Counsel of Record (*via ECF*)